

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

JUDD AND DONNA HAMBRICK,

PLAINTIFFS,

VS.

CIVIL ACTION NO. 1:07CV258-P-D

**BEAR STEARNS RESIDENTIAL MORTGAGE
a/k/a ENCORE CREDIT CORP. a/k/a PERFORMANCE
CREDIT CORP and WELLS FARGO BANK, N.A. d/b/a
AMERICA'S SERVICING COMPANY,**

DEFENDANTS.

PARTIAL FINAL JUDGMENT

In accordance with a Memorandum Opinion issued this day, **IT IS ORDERED AND ADJUDGED** that:

(1) Bear Stearns Residential Mortgage and Encore Credit Corp.'s motions to dismiss [42,47 respectively] are hereby **GRANTED**; thus,

(2) All of the plaintiffs' claims against Bear Stearns Residential Mortgage and Encore Credit Corp – *i.e.*, "predatory lending," violation of the Truth in Lending Act and Regulation Z, and intentional or negligent infliction of emotional distress – are **DISMISSED WITH PREJUDICE**;

(3) The plaintiffs' claims against Wells Fargo Bank, N.A. d/b/a America's Servicing Company remain.

SO ORDERED this the 5th day of December, A.D., 2008.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE